



# COMMON OFFENCES UNDER COMPANIES ACT 2016

## COURSE INTRODUCTION

The Companies Act 2016 was gazetted in September 2016 and was operated in January 2017. The modern legal framework in the Companies Act 2016 has replaced the Companies Act 1965. The new Act consists of 5 parts, 620 sections and 13 schedules as compared to the Companies Act 1965 which was made up of 12 parts, 374 sections and 10 schedules. Since the implementation of the Companies Act 2016 some of company directors and officers have been compounded and charged in court related common offenses under the act.

# COMMON OFFENCES UNDER COMPANIES ACT 2016

## COURSE OBJECTIVES



The course deals with the inherent common offences under compliance and investigation views stipulated under the Companies Act 2016. This course will facilitate participants to identify the frequency of common offences under the Companies Act 2016 and will highlight current issues from compliance and investigation perspective and common offences in respect of the Companies Act 2016 toward good governance practice in Malaysia.

## COURSE CONTENTS



- Regulatory functions of Suruhanjaya Syarikat Malaysia (SSM).
- Modes of enforcement.
- Enforcement dynamics.
- Balanced enforcement approach:
  - a. Education (including SSM's mandatory Continuing Professional Education (CPE).
  - b. Administrative actions.
  - c. Criminal sanctions.
- Duties and responsibilities of Directors and Company Secretary.
- Infringement of the Act by Directors.
- Highlights of non-compliance and serious corporate governance offences:
  - a. Convening of annual general meeting.
  - b. Submission of company's annual return.
  - c. Company accounting records and tabling of accounts at Annual General Meeting (AGM).
  - d. Company auditors.
  - e. Conflict of interests.
  - f. False or misleading statements.
  - g. Transactions involving Directors and shareholders.
- Director's personal liability under other laws.
- Power of investigation.
- Effect of conviction.

## LEARNING OUTCOMES

By attending this programme, the participants will be able to:



- Understand inherent in common offences under compliance and investigation views stipulated under the Companies Act 2016.
- Encourage good governance practice in companies perspective.
- Increase compliance rate under the Companies Act 2016.
- Understand the case studies in the ground of Corporate Compliance and Investigation finding.

# COMMON OFFENCES UNDER COMPANIES ACT 2016

## WHO SHOULD ATTEND

Company secretaries, company secretarial assistants, company directors, lawyers, auditors and corporate consultants.

## ABOUT THE TRAINER

Speakers from Suruhanjaya Syarikat Malaysia.

## ADMINISTRATIVE DETAILS

Date	24 July 2025 25 November 2025
Platform	Virtual platform
Time	9.00 am - 1.00 pm
Training Methodology	Lecture and case discussion
Fee	RM300.00 Standard RM250.00 Licensed Secretary. Member of MAICSA, MIA, Malaysian Bar, MACS, MICPA, Sabah Law Society & Advocates Assoc. of Sarawak.
SSM CPE Points	4 points

# COMMON OFFENCES UNDER COMPANIES ACT 2016

## HOW TO REGISTER?

### STEP 01

Strictly via online registration at [www.ssm4u.com.my/ecomtrac](http://www.ssm4u.com.my/ecomtrac)

### STEP 02

#### NEW USER (First Time Login)

- Click on **SIGN UP**
- Key in **REGISTRATION INFORMATION**
- Click on **REGISTER**
- Key in **USERNAME** and **PASSWORD**

#### EXISTING USER

- Key in **USERNAME** and **PASSWORD**
- Click on **SIGN IN**

### STEP 03

- Select training
- Check on Available Seat
- Click on Add Participant
- Key in participant's information

- Click on Submit
- Check participant's details
- Click on Submit Payment

Note: Please submit your application within 15 minutes. Otherwise the system will automatically cancel your transaction and you will lose your seat(s). Please re-apply if you wish to proceed. Full payment shall be made at the point of registration.

# COMMON OFFENCES UNDER COMPANIES ACT 2016

## TERMS & CONDITIONS FOR REGISTRATION OF TRAINING PROGRAMMES UNDER COMTRAC

### PROGRAMME FEE

- Fee is payable to SURUHANJAYA SYARIKAT MALAYSIA.
- Admittance to training programme shall be granted only upon registration and full payment is received.

### PAYMENT MODE

- Registrations and payment for training programmes MUST be made through online at e-COMTRAC (<https://e-comtrac.ssm.com.my>). Upon submitting the registration application, participants are deemed to have read and accepted the terms and conditions herein.
- Payment by cash and cheque is not acceptable effective from January 2021.

### CLASSROOM TRAINING

- For classroom-based training, a confirmation e-mail will be sent to participants at least 1 working day prior to the programme.
- Participants are required to present Malaysia's identification card (MyKAD/NRIC) and foreign participants are required to present passport at the registration counter for verification and admission to training programme.
- Admittance may be denied upon failure to present identification card / passport.

### WEBINAR ACCESS LINK

- A notification e-mail with the webinar access link will be sent to participants at least 1 working day prior to the webinar.
- The access link is unique for registered participants and should not be forwarded or shared with others.

### CERTIFICATE OF ATTENDANCE

- Upon full attendance of the programme and payment is received, participants will be issued an e-Certificate of Attendance. For this purpose, it is imperative to fill in the email address correctly.
- Participants can download the e-Certificate of Attendance from e-COMTRAC platform in three (3) working days after the programme. Please take note that the certificate is available for download up to 30 days from the conclusion of the programme. An administrative fee of RM30.00 per copy is chargeable for downloading the certificate after the 30th day and for any replacement of certificate due to errors in name or identification card number wrongly filled by participant / representative during registration or loss of certificate, etc.

### CANCELLATION / ABSENT

- No refund will be given to participants who failed to attend the programme.
- Replacing registered participant is not allowed.

### TRANSFER

Transfer of registration fee to another training programme is not allowed.

### PERSONAL DATA PROTECTION NOTICE

Your personal data and other information provided in this application and including any additional information you may subsequently provide, may be used and processed by COMTRAC/SSM as a reference in future to communicate with you on our training programmes/events. In line with the Personal Data Protection Act 2010, we wish to obtain your agreement and consent for using your personal data. If you do not consent to the processing and disclosure of your personal data, you should send an e-mail to us at [comtrac@ssm.com.my](mailto:comtrac@ssm.com.my).

### HUMAN RESOURCES DEVELOPMENT CORPORATION

SSM is registered as a training provider with HRD Corp under GOV1000117857. All trainings are claimable under SBL Scheme subject to HRD Corp approval. Participant's employer needs to apply for grant at least one day before the commencement of training.

### COPYRIGHTS

The materials of the training programme are solely for participants' personal use. No part of these materials may be stored, reproduced or transmitted in any form or by any means, including photocopying, e-mailing and recording, without the written permission of the author or SSM. Information contained in these documents is understood to be correct at the time of writing. The assessments and views expressed in these materials shall be treated/ regarded purely for public information and discussion and it does not constitute formal advice. The views provided are for general information to provide better clarity and understanding of the subject matter. It should not be relied upon as an alternative to specific legal advice from your lawyer or other professional service provider. If you have any specific issues and/ or questions about any legal matter, you should consult your lawyer or other professional service provider. In no event shall the SSM be liable for any damages, whether in an action of contract, negligence or other tort, arising from the contents in these materials.

### EXCLUSION OF LIABILITY

The speaker(s) or trainer(s) is independent and shall not represent SSM, act as its agent or otherwise represent that their personal views are endorsed by SSM. The assessments and views expressed during the programme are entirely the speakers'/trainers' own. SSM shall not be liable for whatever circumstances arising from any engagement between the speaker(s) or trainer(s) and the participant(s).

### DISCLAIMER

SSM reserves the right to cancel the programme, change date(s), venue(s), speaker(s) or any other changes due to any unforeseen circumstances that may arise without prior notice to participants. SSM also reserves the right to make alternative arrangements without prior notice. SSM accepts no responsibility for death, illness, injury, loss or damage of any property belonging to, or financial loss by any persons attending the programme, whatever the cause. SSM shall not be responsible for any costs, damages or losses incurred by participants due to the changes and / or cancellation. SSM is not responsible for the integrity of participants' computer or device, your internet signal bandwidth, or any other consideration outside of the control of SSM.

SSM shall not be responsible for any problems or technical malfunction, including, without limitation, the acts, omissions, problems or malfunctions of any telephone network or lines, computer online systems, servers, computer equipment, software, failure of e-mail, traffic congestion on the internet or at any web or combination thereof.

All information contained in the brochure is correct and accurate at the time of publication.



## COMPANIES COMMISSION OF MALAYSIA TRAINING ACADEMY & KNOWLEDGE MANAGEMENT DIVISION



### Companies Commission of Malaysia

Level 12, Menara SSM@Sentral  
No.7, Jalan Stesen Sentral 5  
Kuala Lumpur Sentral  
50623 Kuala Lumpur



+603 2299 5498 / 4441 / 5308



+603 2299 4451 / 4452



[comtrac@ssm.com.my](mailto:comtrac@ssm.com.my)

